

*David Coats*

AMENDMENT NO. \_\_\_\_\_

Calendar No. 14

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

**H.R. 1**

Making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by *Mr. Coats + Mr. Alexander*

Viz: *In lieu of the matter proposed to be inserted, insert the*  
1 ~~Strike all after the enacting clause, and insert in lieu~~ *following:*

2 ~~thereof:~~ *e*

3 That the following sums are hereby appropriated, out of

4 any money in the Treasury not otherwise appropriated,

5 for fiscal year 2013, and for other purposes, namely:

6 SUPPLEMENTAL APPROPRIATIONS FOR

7 DISASTER ASSISTANCE

1

## TITLE I

2

### DEPARTMENT OF AGRICULTURE

3

#### DOMESTIC FOOD PROGRAMS

4

#### FOOD AND NUTRITION SERVICE

5

#### COMMODITY ASSISTANCE PROGRAM

6

For an additional amount for the emergency food as-

7

sistance program as authorized by section 27(a) of the

8

Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and

9

section 204(a)(1) of the Emergency Food Assistance Act

10

of 1983 (7 U.S.C. 7508(a)(1)), \$6,000,000: *Provided,*

11

That notwithstanding any other provisions of the Emer-

12

gency Food Assistance Act of 1983 (the “Act”), the Sec-

13

retary may allocate additional foods and funds for admin-

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istrative expenses from resources specifically appropriated,

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transferred, or reprogrammed to restore to states re-

16

sources used to assist families and individuals displaced

17

by Hurricane Sandy among the states without regard to

18

sections 204 and 214 of the Act: *Provided further,* That

19

such amount is designated by the Congress as being for

20

an emergency requirement pursuant to section

21

251(b)(2)(A)(i) of the Balanced Budget and Emergency

22

Deficit Control Act of 1985 (Public Law 99-177), as

23

amended.

1

## TITLE II

2

### DEPARTMENT OF COMMERCE

3

#### NATIONAL OCEANIC AND ATMOSPHERIC

4

#### ADMINISTRATION

5

#### OPERATIONS, RESEARCH, AND FACILITIES

6

For an additional amount for “Operations, Research,

7

and Facilities”, \$32,000,000 to remain available until

8

September 30, 2014, as follows—

9

(1) \$6,200,000 to repair and replace ocean ob-

10

serving and coastal monitoring assets damaged by

11

Hurricane Sandy;

12

(2) \$5,000,000 to repair and improve weather

13

forecasting capabilities and infrastructure;

14

(3) \$20,800,000 for mapping, charting, damage

15

assessment, and marine debris coordination and re-

16

mediation:

17 *Provided*, That the National Oceanic and Atmospheric Ad-

18 ministration shall submit a spending plan to the Commit-

19 tees on Appropriations of the House of Representatives

20 and the Senate within 45 days after the date of enactment

21 of this Act: *Provided further*, That such amount is des-

22 ignated by the Congress as being for an emergency re-

23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

24 anced Budget and Emergency Deficit Control Act of 1985.

1       PROCUREMENT, ACQUISITION AND CONSTRUCTION

2       For an additional amount for "Procurement, Acquisi-  
3   tion and Construction", \$9,000,000, to remain available  
4   until September 30, 2015, to repair National Oceanic and  
5   Atmospheric Administration (NOAA) facilities damaged  
6   by Hurricane Sandy: *Provided*, That NOAA shall submit  
7   a spending plan to the Committees on Appropriations of  
8   the House of Representatives and the Senate within 45  
9   days after the date of enactment of this Act: *Provided fur-*  
10   *ther*, That such amount is designated by the Congress as  
11   being for an emergency requirement pursuant to section  
12   251(b)(2)(A)(i) of the Balanced Budget and Emergency  
13   Deficit Control Act of 1985.

14                               SCIENCE

15   NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

16   CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND

17                               RESTORATION

18       For an additional amount for "Construction and En-  
19   vironmental Compliance and Restoration" for repair at  
20   National Aeronautics and Space Administration facilities  
21   damaged by Hurricane Sandy, \$4,000,000, to remain  
22   available until September 30, 2015: *Provided*, That such  
23   amount is designated by the Congress as being for an  
24   emergency requirement pursuant to section.

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
2 Deficit Control Act of 1985.

3 TITLE III

4 DEPARTMENT OF DEFENSE

5 DEPARTMENT OF DEFENSE—MILITARY

6 OPERATION AND MAINTENANCE

7 OPERATION AND MAINTENANCE, ARMY

8 For an additional amount for “Operation and Main-  
9 tenance, Army”, \$5,370,000, to remain available until  
10 September 30, 2013, for necessary expenses related to the  
11 consequences of Hurricane Sandy: *Provided*, That such  
12 amount is designated by the Congress as being for an  
13 emergency requirement pursuant to section  
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, NAVY

17 For an additional amount for “Operation and Main-  
18 tenance, Navy”, \$40,015,000, to remain available until  
19 September 30, 2013, for necessary expenses related to the  
20 consequences of Hurricane Sandy: *Provided*, That such  
21 amount is designated by the Congress as being for an  
22 emergency requirement pursuant to section  
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.



1 for an emergency requirement pursuant to section  
2 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
3 Deficit Control Act of 1985.

4 PROCUREMENT

5 PROCUREMENT OF AMMUNITION, ARMY

6 For an additional amount for "Procurement of Am-  
7 munition, Army", \$1,310,000, to remain available until  
8 September 30, 2015, for necessary expenses related to the  
9 consequences of Hurricane Sandy: *Provided*, That such  
10 amount is designated by the Congress as being for an  
11 emergency requirement pursuant to section  
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
13 Deficit Control Act of 1985.

14 REVOLVING AND MANAGEMENT FUNDS

15 DEFENSE WORKING CAPITAL FUNDS

16 For an additional amount for "Defense Working  
17 Capital Funds", \$24,200,000, to remain available until  
18 September 30, 2013, for necessary expenses related to the  
19 consequences of Hurricane Sandy: *Provided*, That such  
20 amount is designated by the Congress as being for an  
21 emergency requirement pursuant to section  
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
23 Deficit Control Act of 1985.

1 TITLE IV  
2 DEPARTMENT OF DEFENSE—CIVIL  
3 DEPARTMENT OF THE ARMY  
4 CORPS OF ENGINEERS—CIVIL  
5 OPERATION AND MAINTENANCE

6 For an additional amount for “Operation and Main-  
7 tenance”, \$483,000,000, to remain available until Sep-  
8 tember 30, 2014, to repair U.S. Army Corps of Engineers  
9 projects and dredge Federal navigation channels damaged  
10 by the impacts of Hurricane Sandy: *Provided*, That such  
11 amount is designated by the Congress as being for an  
12 emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985: *Provided further*, That the  
15 Assistant Secretary of the Army for Civil Works shall pro-  
16 vide a monthly report to the Committees on Appropria-  
17 tions of the House of Representatives and the Senate de-  
18 tailing the allocation and obligation of these funds, begin-  
19 ning not later than 60 days after enactment of this Act.

20 FLOOD CONTROL AND COASTAL EMERGENCIES

21 For an additional amount for “Flood Control and  
22 Coastal Emergencies”, \$340,000,000, to remain available  
23 until September 30, 2014, to support emergency oper-  
24 ations, repairs and other activities in response Hurricane  
25 Sandy as authorized by law: *Provided*, That the amounts



1 in this paragraph are designated by the Congress as being  
2 for an emergency requirement pursuant to section  
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
4 Deficit Control Act of 1985: *Provided further*, That the  
5 Assistant Secretary of the Army for Civil Works shall pro-  
6 vide a monthly report to the Committees on Appropria-  
7 tions of the House of Representatives and the Senate de-  
8 tailing the allocation and obligation of these funds, begin-  
9 ning not later than 60 days after enactment of this Act.

10 TITLE V

11 INDEPENDENT AGENCIES

12 SMALL BUSINESS ADMINISTRATION

13 SALARIES AND EXPENSES

14 For an additional amount for "Salaries and Ex-  
15 penses", \$20,000,000, to remain available until September  
16 30, 2014, for grants to or cooperative agreements with  
17 organizations to provide technical assistance related to  
18 disaster recovery, response, and long-term resiliency to  
19 small businesses that are recovering from Hurricane  
20 Sandy: *Provided*, That such amounts are designated by  
21 the Congress as being for an emergency requirement pur-  
22 suant to section 251(b)(2)(A)(i) of the Balanced Budget  
23 and Emergency Deficit Control Act of 1985.

1 OFFICE OF INSPECTOR GENERAL

2 For an additional amount for "Office of Inspector  
3 General" for necessary expenses related to the con-  
4 sequences of Hurricane Sandy and other disasters,  
5 \$2,000,000, to remain available until expended: *Provided*,  
6 That such amount is designated by the Congress as being  
7 for an emergency requirement pursuant to section  
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

10 DISASTER LOANS PROGRAM ACCOUNT

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for "Disaster Loans Pro-  
13 gram Account" for the cost of direct loans authorized by  
14 section 7(b) of the Small Business Act, for necessary ex-  
15 penses related to Hurricane Sandy and other disasters,  
16 \$500,000,000, to remain available until expended: *Pro-*  
17 *vided*, That such costs, including the cost of modifying  
18 such loans, shall be as defined in section 502 of the Con-  
19 gressional Budget Act of 1974: *Provided further*, That in  
20 addition, for administrative expenses to carry out the di-  
21 rect loan program authorized by section 7(b) of the Small  
22 Business Act in response to Hurricane Sandy and other  
23 disasters, \$100,000,000, to remain available until ex-  
24 pended, of which \$90,000,000 is for direct administrative  
25 expenses of loan making and servicing to carry out the

1 direct loan program, which may be transferred to and  
2 merged with the appropriations for Salaries and Expenses;  
3 and of which \$10,000,000 is for indirect administrative  
4 expenses for the direct loan program, which may be trans-  
5 ferred to and merged with the appropriations for Salaries  
6 and Expenses: *Provided further*, That such amounts are  
7 designated by the Congress as being for an emergency re-  
8 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
9 anced Budget and Emergency Deficit Control Act of 1985.

10 GENERAL PROVISIONS—THIS TITLE

11 SEC. 501. Section 411(a)(1) of the Small Business  
12 Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amend-  
13 ed by striking “\$2,000,000” and inserting “\$5,000,000”.

14 TITLE VI

15 DEPARTMENT OF HOMELAND SECURITY

16 U.S. CUSTOMS AND BORDER PROTECTION

17 SALARIES AND EXPENSES

18 For an additional amount for “Salaries and Ex-  
19 penses” for necessary expenses related to the con-  
20 sequences of Hurricane Sandy, \$1,347,000: *Provided*,  
21 That such amount is designated by the Congress as being  
22 for an emergency requirement pursuant to section  
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985: *Provided further*, That a de-  
25 scription of all property to be replaced, with associated

1 costs, shall be submitted to the Committees on Appropria-  
2 tions of the Senate and the House of Representatives no  
3 later than 90 days after the date of enactment of this Act.

4 COAST GUARD

5 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for "Acquisition, Construc-  
8 tion, and Improvements" for necessary expenses related  
9 to the consequences of Hurricane Sandy, \$143,899,000,  
10 to remain available until September 30, 2014: *Provided*,  
11 That such amount is designated by the Congress as being  
12 for an emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985: *Provided further*, That not-  
15 withstanding the transfer limitation contained in section  
16 503 of division D of Public Law 112-74, such funding  
17 may be transferred to other Coast Guard appropriations  
18 after notification as required in accordance with such sec-  
19 tion: *Provided further*, That a description all facilities and  
20 property to be reconstructed and restored, with associated  
21 costs and time lines, shall be submitted to the Committees  
22 on Appropriations of the Senate and the House of Rep-  
23 resentatives no later than 90 days after the date of enact-  
24 ment of this Act.

1           FEDERAL EMERGENCY MANAGEMENT AGENCY  
2                           DISASTER RELIEF FUND

3           For an additional amount for the “Disaster Relief  
4 Fund” for major disasters declared pursuant to the Rob-  
5 ert T. Stafford Disaster Relief and Emergency Assistance  
6 Act (42 U.S.C. 5121 et seq.), \$5,379,000,000, to remain  
7 available until expended: *Provided*, That such amount is  
8 designated by the Congress as being for disaster relief pur-  
9 suant to section 251(b)(2)(D) of the Balanced Budget and  
10 Emergency Deficit Control Act of 1985.

11                           SCIENCE AND TECHNOLOGY  
12           RESEARCH, DEVELOPMENT, ACQUISITION, AND  
13                           OPERATIONS

14           For an additional amount for “Research, Develop-  
15 ment, Acquisition, and Operations” for necessary expenses  
16 related to the consequences of Hurricane Sandy,  
17 \$3,249,000, to remain available until September 30, 2014:  
18 *Provided*, That such amount is designated by the Congress  
19 as being for an emergency requirement pursuant to sec-  
20 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
21 gency Deficit Control Act of 1985.

22                           GENERAL PROVISION—THIS TITLE

23           SEC. 601. (a) Subsection (a) of section 1309 of the  
24 National Flood Insurance Act of 1968 (42 U.S.C.  
25 4016(a)) is amended—

1 (1) by inserting “(1)” after the subsection des-  
2 ignation; and

3 (2) by adding at the end the following new  
4 paragraph:

5 “(2) Notwithstanding paragraph (1)—

6 “(A) clause (2) of the first sentence of  
7 such paragraph shall be applied, through Sep-  
8 tember 30, 2017, by substituting  
9 ‘\$25,725,000,000’ for ‘\$1,500,000,000’; and

10 “(B) effective upon the submission by the  
11 Administrator to the Congress of a plan for  
12 specific actions to be taken in connection with  
13 the flood insurance program under this title  
14 that will provide for the repayment of any  
15 amounts borrowed pursuant to this paragraph  
16 before the expiration of the 10-year period that  
17 begins upon the date of the enactment of this  
18 paragraph, a schedule for implementation of  
19 such actions, a schedule required under sub-  
20 section (c) for such repayment, and a certifi-  
21 cation by the Administrator that the Adminis-  
22 trator will adhere to such schedules, clause (2)  
23 of the first sentence of paragraph (1) shall be  
24 applied, through September 30, 2017, by sub-

1           stituting           ‘\$30,425,000,000’           for  
2           ‘\$1,500,000,000’.”.

3       (b) The amount provided by this section is designated  
4 by the Congress as an emergency requirement pursuant  
5 to section 251(b)(2)(A)(i) of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985 and as an emer-  
7 gency requirement pursuant to section 4(g) of the Statu-  
8 tory Pay-As-You-Go Act of 2010.

9                           TITLE VII

10                   DEPARTMENT OF THE INTERIOR

11                           FISH AND WILDLIFE SERVICE

12                                   CONSTRUCTION

13       For an additional amount for “Construction” for nec-  
14 essary expenses incurred to prepare for, respond to, and  
15 recover from Hurricane Sandy, \$64,000,000, to remain  
16 available until September 30, 2014: *Provided*, That such  
17 amount is designated by the Congress as being for an  
18 emergency requirement pursuant to section  
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985.

21                           NATIONAL PARK SERVICE

22                                   CONSTRUCTION

23       For an additional amount for “Construction” for nec-  
24 essary expenses incurred to prepare for, respond to, and  
25 recover from Hurricane Sandy, including the full scope of

1 repairs to the Statue of Liberty and Ellis Island,  
2 \$190,000,000, to remain available until September 30,  
3 2014: *Provided*, That such amount is designated by the  
4 Congress as being for an emergency requirement pursuant  
5 to section 251(b)(2)(A)(i) of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985.

7 BUREAU OF SAFETY AND ENVIRONMENTAL

8 ENFORCEMENT

9 OIL SPILL RESEARCH

10 For an additional amount for "Oil Spill Research"  
11 for necessary expenses related to the consequences of Hur-  
12 ricane Sandy, \$3,000,000, to remain available until Sep-  
13 tember 30, 2014: *Provided*, That such amount is des-  
14 ignated by the Congress as being for an emergency re-  
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
16 anced Budget and Emergency Deficit Control Act of 1985.

17 ENVIRONMENTAL PROTECTION AGENCY

18 LEAKING UNDERGROUND STORAGE TANK FUND

19 For an additional amount for "Leaking Underground  
20 Storage Tank Fund" for necessary expenses related to the  
21 consequences of Hurricane Sandy, \$5,000,000, to remain  
22 available until September 30, 2014: *Provided*, That such  
23 amount is designated by the Congress as being for an  
24 emergency requirement pursuant to section



1 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
2 Deficit Control Act of 1985.

3 TITLE VIII

4 DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING ADMINISTRATION

6 TRAINING AND EMPLOYMENT SERVICES

7 For an additional amount for “Employment and  
8 Training Administration—Training and Employment  
9 Services”, \$50,000,000 for the dislocated workers assist-  
10 ance national reserve, which shall be available from the  
11 date of enactment of this Act through September 30,  
12 2013: *Provided*, That such amount is designated by the  
13 Congress as being for an emergency requirement pursuant  
14 to section 251(b)(2)(A)(i) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985, as amended.

16 DEPARTMENT OF HEALTH AND HUMAN  
17 SERVICES

18 ADMINISTRATION FOR CHILDREN AND FAMILIES

19 SOCIAL SERVICES BLOCK GRANT

20 For an additional amount for “Social Services Block  
21 Grant”, \$350,000,000, for necessary expenses resulting  
22 from Hurricane Sandy in States for which the President  
23 declared a major disaster under title IV of the Robert T.  
24 Stafford Disaster Relief and Emergency Assistance Act,  
25 notwithstanding section 2003 and paragraphs (1) and (4)

1 of section 2005(a) of the Social Security Act: *Provided*,  
2 That, notwithstanding section 2002 of the SSA, the dis-  
3 tribution of such amount shall be limited to the States  
4 of New York and New Jersey: *Provided further*, That  
5 funds appropriated in this paragraph are in addition to  
6 the entitlement grants authorized by section 2002(a)(1)  
7 of the Social Security Act and shall not be available for  
8 such entitlement grants: *Provided further*, That the Sec-  
9 retary of Health and Human Services shall distribute such  
10 amount to the States of New York and New Jersey based  
11 on the number of registrants for Individual Assistance  
12 provided by the Federal Emergency Management Agency  
13 within the counties that received a Presidential major dis-  
14 aster declaration for the Federal Emergency Management  
15 Agency Individual Assistance related to Hurricane Sandy  
16 as of the date of enactment of this Act: *Provided further*,  
17 That in addition to other uses permitted by title XX of  
18 the SSA, funds appropriated in this paragraph may be  
19 used for health services (including mental health services),  
20 and for costs of renovating, repairing, or rebuilding health  
21 care facilities (including mental health facilities), child  
22 care facilities, or other social services facilities: *Provided*  
23 *further*, That funds appropriated in this paragraph are  
24 also available for costs incurred up to 3 days prior to Hur-  
25 ricane Sandy's October 29, 2012 landfall subject to Fed-

1 eral review of documentation of the cost of services pro-  
2 vided: *Provided further*, That none of the funds appro-  
3 priated in this paragraph shall be available for costs that  
4 are reimbursed by the Federal Emergency Management  
5 Agency or by insurance: *Provided further*, That, with re-  
6 spect to the Federal interest in real property acquired or  
7 on which construction or major renovation of facilities (as  
8 such terms are defined in 45 CFR 1309.3) is undertaken  
9 with these funds, procedures equivalent to those specified  
10 in subpart C of 45 CFR part 1309 shall apply: *Provided*  
11 *further*, That such amount is designated by the Congress  
12 as being for an emergency requirement pursuant to sec-  
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
14 gency Deficit Control Act of 1985, as amended.

15 CHILDREN AND FAMILY SERVICES PROGRAMS

16 For an additional amount for "Children and Families  
17 Services Programs", \$85,000,000, for making payments  
18 under the Head Start Act in States for which the Presi-  
19 dent declared a major disaster under title IV of the Robert  
20 T. Stafford Disaster Relief and Emergency Assistance Act  
21 as a result of Hurricane Sandy: *Provided*, That funds ap-  
22 propriated in this paragraph are not subject to the alloca-  
23 tion requirements of section 640(a) of the Head Start Act:  
24 *Provided further*, That funds appropriated in this para-  
25 graph shall be available through September 30, 2014 for

1 costs of renovating, repairing, or rebuilding those Head  
2 Start facilities damaged as a result of Hurricane Sandy:  
3 *Provided further*, That none of the funds appropriated in  
4 this paragraph shall be included in the calculation of the  
5 “base grant” in subsequent fiscal years, as such term is  
6 used in section 640(a)(7)(A) of the Head Start Act: *Pro-*  
7 *vided further*, That none of the funds appropriated in this  
8 paragraph shall be available for costs that are reimbursed  
9 by the Federal Emergency Management Agency or by in-  
10 surance: *Provided further*, That such amount is designated  
11 by the Congress as being for an emergency requirement  
12 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
13 et and Emergency Deficit Control Act of 1985, as amend-  
14 ed.

15 OFFICE OF THE SECRETARY

16 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

17 FUND

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Public Health and So-  
20 cial Services Emergency Fund” for disaster response and  
21 recovery expenses related to Hurricane Sandy,  
22 \$122,000,000, of which \$100,000,000 is to remain avail-  
23 able through September 30, 2014: *Provided*, That these  
24 funds may be transferred by the Secretary to accounts  
25 within the Department of Health and Human Services,

1 and shall be available only for the purposes provided in  
2 this paragraph: *Provided further*, That the transfer au-  
3 thority provided in this paragraph is in addition to any  
4 other transfer authority available in this or any other Act:  
5 *Provided further*, That obligations incurred for response  
6 activities for Hurricane Sandy prior to enactment of this  
7 Act may be charged to this appropriation: *Provided fur-*  
8 *ther*, That funds appropriated in this paragraph may be  
9 used for renovating, repairing, or rebuilding non-Federal  
10 research facilities damaged as a result of Hurricane  
11 Sandy: *Provided further*, That none of the funds appro-  
12 priated in this paragraph shall be available for costs that  
13 are reimbursed by the Federal Emergency Management  
14 Agency or by insurance: *Provided further*, That such  
15 amount is designated by the Congress as being for an  
16 emergency requirement pursuant to section  
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985, as amended.

19 RELATED AGENCIES

20 SOCIAL SECURITY ADMINISTRATION

21 LIMITATION ON ADMINISTRATIVE EXPENSES

22 For an additional amount for "Limitation on Admin-  
23 istrative Expenses", \$2,000,000, for necessary expenses  
24 resulting from Hurricane Sandy: *Provided*, That such  
25 amount is designated by the Congress as an emergency

1 requirement pursuant to section 251(b)(2)(A) (i) of the  
2 Balanced Budget and Emergency Deficit Control Act of  
3 1985, as amended.

4 TITLE IX

5 DEPARTMENT OF DEFENSE

6 MILITARY CONSTRUCTION

7 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

8 For an additional amount for "Military Construction,  
9 Army National Guard", \$20,457,000, to remain available  
10 until September 30, 2014, for necessary expenses related  
11 to the consequences of Hurricane Sandy: *Provided*, That  
12 such funds may be obligated or expended for planning and  
13 design and military construction projects not otherwise  
14 authorized by law: *Provided further*, That such amount is  
15 designated by the Congress as being for an emergency re-  
16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
17 anced Budget and Emergency Deficit Control Act of 1985.

18 DEPARTMENT OF VETERANS AFFAIRS

19 VETERANS HEALTH ADMINISTRATION

20 MEDICAL SERVICES

21 For an additional amount for "Medical Services",  
22 \$21,000,000, to remain available until September 30,  
23 2014, for necessary expenses related to the consequences  
24 of Hurricane Sandy: *Provided*, That such amount is des-  
25 ignated by the Congress as being for an emergency re-

1 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
2 anced Budget and Emergency Deficit Control Act of 1985.

3 MEDICAL FACILITIES

4 For an additional amount for “Medical Facilities”,  
5 \$6,000,000, to remain available until September 30, 2014,  
6 for necessary expenses related to the consequences of Hur-  
7 ricane Sandy: *Provided*, That such amount is designated  
8 by the Congress as being for an emergency requirement  
9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
10 et and Emergency Deficit Control Act of 1985.

11 DEPARTMENTAL ADMINISTRATION

12 INFORMATION TECHNOLOGY SYSTEMS

13 For an additional amount for “Information Tech-  
14 nology Systems”, \$500,000, for necessary expenses re-  
15 lated to the consequences of Hurricane Sandy: *Provided*,  
16 That such amount is designated by the Congress as being  
17 for an emergency requirement pursuant to section  
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
19 Deficit Control Act of 1985.

20 CONSTRUCTION, MAJOR PROJECTS

21 For an additional amount for “Construction, Major  
22 Projects”, \$207,000,000 to remain available until Sep-  
23 tember 30, 2017, for renovations and repairs to the De-  
24 partment of Veterans Affairs Medical Center in Manhat-  
25 tan, New York, as a consequence of damage caused by

1 Hurricane Sandy: *Provided*, That notwithstanding any  
2 other provision of law, such funds may be obligated and  
3 expended to carry out planning and design and major  
4 medical facility construction not otherwise authorized by  
5 law: *Provided further*, That such amount is designated by  
6 the Congress as being for an emergency requirement pur-  
7 suant to section 251(b)(2)(A)(i) of the Balanced Budget  
8 and Emergency Deficit Control Act of 1985.

9 TITLE X

10 DEPARTMENT OF TRANSPORTATION

11 FEDERAL HIGHWAY ADMINISTRATION

12 FEDERAL-AID HIGHWAYS

13 EMERGENCY RELIEF PROGRAM

14 For an additional amount for the Emergency Relief  
15 Program as authorized under section 125 of title 23,  
16 United States Code, \$444,300,000, to remain available  
17 until expended: *Provided*, That such amount is designated  
18 by the Congress as being for an emergency requirement  
19 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
20 et and Emergency Deficit Control Act of 1985.

21 FEDERAL RAILROAD ADMINISTRATION

22 OPERATING SUBSIDY GRANTS TO THE NATIONAL

23 RAILROAD PASSENGER CORPORATION

24 For an additional amount for the Secretary to make  
25 grants to the National Railroad Passenger Corporation for



1 costs and losses incurred as a result of Hurricane Sandy,  
2 \$32,000,000, to remain available until expended: *Pro-*  
3 *vided*, That such amount is designated by the Congress  
4 as being for an emergency requirement pursuant to sec-  
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
6 gency Deficit Control Act of 1985.

7 FEDERAL TRANSIT ADMINISTRATION

8 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

9 For the Public Transportation Emergency Relief  
10 Program as authorized under section 5324 of title 49,  
11 United States Code, \$3,400,000,000, to remain available  
12 until expended, for recovery and relief efforts in the areas  
13 most affected by Hurricane Sandy: *Provided*, That up to  
14 three-quarters of 1 percent of the funds retained for public  
15 transportation emergency relief shall be available for the  
16 purposes of administrative expenses and ongoing program  
17 management oversight as authorized under 49 U.S.C.  
18 5334 and 5338(i)(2) and shall be in addition to any other  
19 appropriations for such purposes: *Provided further*, That,  
20 of the funds made available under this heading,  
21 \$6,000,000 shall be transferred to the Office of Inspector  
22 General to support the oversight of activities funded under  
23 this heading: *Provided further*, That such amounts are  
24 designated by the Congress as being for an emergency re-

1 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
2 anced Budget and Emergency Deficit Control Act of 1985.

3 DEPARTMENT OF HOUSING AND URBAN  
4 DEVELOPMENT

5 COMMUNITY PLANNING AND DEVELOPMENT

6 COMMUNITY DEVELOPMENT FUND

7 For an additional amount for the “Community Devel-  
8 opment Fund” for necessary expenses related to disaster  
9 relief, long-term recovery, restoration of infrastructure  
10 and housing, and economic revitalization in the most im-  
11 pacted and distressed areas resulting from a major dis-  
12 aster declared pursuant to the Robert T. Stafford Disaster  
13 Relief and Emergency Assistance Act (42 U.S.C. 5121 et  
14 seq.), due to Hurricane Sandy, for activities authorized  
15 under title I of the Housing and Community Development  
16 Act of 1974 (42 U.S.C. 5301 et seq.), \$2,000,000,000,  
17 to remain available until expended: *Provided*, That the  
18 Secretary shall establish a minimum allocation for each  
19 eligible State declared a major disaster due to Hurricane  
20 Sandy: *Provided further*, That funds shall be awarded di-  
21 rectly to the State or unit of general local government as  
22 a grantee at the discretion of the Secretary: *Provided fur-*  
23 *ther*, That the Secretary shall allocate to grantees not less  
24 than 33 percent of the funds provided under this heading  
25 within 60 days after the enactment of this Act based on

1 the best available data: *Provided further*, That prior to the  
2 obligation of funds, a grantee shall submit a plan to the  
3 Secretary for approval detailing the proposed use of all  
4 funds, including criteria for eligibility and how the use of  
5 these funds will address long-term recovery and restora-  
6 tion of infrastructure and housing and economic revitaliza-  
7 tion in the most impacted and distressed areas: *Provided*  
8 *further*, That the Secretary shall by notice specify the cri-  
9 teria for approval of such plans within 45 days of enact-  
10 ment of this Act: *Provided further*, That such funds may  
11 not be used for activities reimbursable by, or for which  
12 funds are made available by, the Federal Emergency Man-  
13 agement Agency or the Army Corps of Engineers: *Pro-*  
14 *vided further*, That the final paragraph under the heading  
15 Community Development Block Grants in title II of Public  
16 Law 105-276 (42 U.S.C. 5305 note) shall not apply to  
17 funds provided under this heading: *Provided further*, That  
18 funds allocated under this heading shall not be considered  
19 relevant to the non-disaster formula allocations made pur-  
20 suant to 42 U.S.C. 5306: *Provided further*, That a grantee  
21 may use up to 5 percent of its allocation for administrative  
22 costs: *Provided further*, That the Secretary shall require  
23 that grantees have established procedures to ensure timely  
24 expenditure of funds and prevent any duplication of bene-  
25 fits as defined by 42 U.S.C. 5155 and prevent fraud and

1 abuse of funds: *Provided further*, That the Secretary shall  
2 provide grantees with technical assistance on contracting  
3 and procurement processes and shall require grantees, in  
4 contracting or procuring for management and administra-  
5 tion of these funds, to incorporate performance require-  
6 ments and penalties into any such contracts or agreements  
7 and to maintain information with respect to performance  
8 on the use of any funds for management and administra-  
9 tive purposes: *Provided further*, That in administering the  
10 funds under this heading, the Secretary may waive, or  
11 specify alternative requirements for, any provision of any  
12 statute or regulation that the Secretary administers in  
13 connection with the obligation by the Secretary or the use  
14 by the recipient of these funds (except for requirements  
15 related to fair housing, nondiscrimination, labor stand-  
16 ards, and the environment), pursuant to a determination  
17 by the Secretary that good cause exists for the waiver or  
18 alternative requirement and that such action is not incon-  
19 sistent with the overall purposes of title I of the Housing  
20 and Community Development Act of 1974 (42 U.S.C.  
21 5301 et seq.): *Provided further*, That notwithstanding the  
22 previous proviso, recipients of funds provided under this  
23 heading that use such funds to match or supplement Fed-  
24 eral assistance provided under sections 402, 403, 406,  
25 407, or 502 of the Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (42 U.S.C. 5121 et seq.) may  
2 adopt, without review or public comment, any environ-  
3 mental review, approval, or permit performed by a Federal  
4 agency, and such adoption shall satisfy the responsibilities  
5 of the recipient with respect to such environmental review,  
6 approval, or permit: *Provided further*, That, notwith-  
7 standing 42 U.S.C. 5304(g)(2), the Secretary may, upon  
8 receipt of a request for release of funds and certification,  
9 immediately approve the release of funds for an activity  
10 or project assisted under this heading if the recipient has  
11 adopted an environmental review prepared under the Na-  
12 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
13 et seq.) or the project is categorically excluded from fur-  
14 ther review under the National Environmental Policy Act  
15 of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That  
16 a waiver granted by the Secretary may not reduce the per-  
17 centage of funds which must be used for activities that  
18 benefit persons of low and moderate income to less than  
19 50 percent, unless the Secretary specifically finds that  
20 there is a compelling need to further reduce or eliminate  
21 the percentage requirement: *Provided further*, That the  
22 Secretary shall publish in the Federal Register any waiver  
23 of any statute or regulation that the Secretary administers  
24 pursuant to title I of the Housing and Community Devel-  
25 opment Act of 1974 no later than 5 days before the effec-

1 tive date of such waiver: *Provided further*, That funds pro-  
2 vided under this heading to for-profit enterprises may only  
3 assist such enterprises that meet the definition of small  
4 business as defined by the Small Business Administration  
5 under 13 CFR part 121: *Provided further*, That notwith-  
6 standing the previous proviso, funds may be provided to  
7 a for-profit enterprise, that does not meet such definition  
8 of small business, but which provides a public benefit, is  
9 publicly regulated, and is otherwise eligible for assistance  
10 under 42 U.S.C. 5301 et seq., and the implementing regu-  
11 lations at 24 CFR Part 570.201(l): *Provided further*, That  
12 of the funds made available under this heading, up to  
13 \$10,000,000 may be transferred to "Program Office Sala-  
14 ries and Expenses, Community Planning and Develop-  
15 ment" for technical assistance and administrative costs  
16 (including information technology costs), related solely to  
17 administering funds available under this heading or funds  
18 made available under prior appropriations to the "Com-  
19 munity Development Fund" for disaster relief, long-term  
20 recovery, or emergency expenses: *Provided further*, That,  
21 of the funds made available under this heading,  
22 \$10,000,000 shall be transferred to "Office of Inspector  
23 General": *Provided further*, That the amounts provided  
24 under this heading are designated by the Congress as  
25 being for an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
2 Deficit Control Act of 1985.

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 1001. For fiscal year 2013, upon request by a  
5 public housing agency and supported by documentation as  
6 required by the Secretary of Housing and Urban Develop-  
7 ment that demonstrates that the need for the adjustment  
8 is due to the disaster, the Secretary may make temporary  
9 adjustments to the Section 8 housing choice voucher an-  
10 nual renewal funding allocations and administrative fee  
11 eligibility determinations for public housing agencies in an  
12 area for which the President declared a disaster under  
13 title IV of the Robert T. Stafford Disaster Relief and  
14 Emergency Assistance Act (42 U.S.C. 5170 et seq.), to  
15 avoid significant adverse funding impacts that would oth-  
16 erwise result from the disaster.

17 SEC. 1002. The Departments of Transportation and  
18 Housing and Urban Development shall submit to the  
19 Committees on Appropriations of the House of Represent-  
20 atives and the Senate within 45 days after the date of  
21 the enactment of this Act a plan for implementing the pro-  
22 visions in this chapter, and updates to such plan on a bi-  
23 annual basis thereafter.

24 SEC. 1003. None of the funds provided in this chap-  
25 ter to the Department of Transportation or the Depart-

1 ment of Housing and Urban Development may be used  
2 to make a grant unless the Secretary of such Department  
3 notifies the House and Senate Committees on Appropria-  
4 tions not less than 3 full business days before any project,  
5 State or locality is selected to receive a grant award total-  
6 ing \$1,000,000 or more is announced by either Depart-  
7 ment or a modal administration.

8 TITLE XI

9 GENERAL PROVISIONS—THIS ACT

10 SEC. 1101. Each amount appropriated or made avail-  
11 able in this Act is in addition to amounts otherwise appro-  
12 priated for the fiscal year involved.

13 SEC. 1102. Each amount designated in this Act by  
14 the Congress as an emergency requirement pursuant to  
15 section 251(b)(2)(A)(i) of the Balanced Budget and  
16 Emergency Deficit Control Act of 1985 shall be available  
17 only if the President subsequently so designates all such  
18 amounts and transmits such designations to the Congress.

19 SEC. 1103. (a) Not later than March 31, 2013, in  
20 accordance with criteria to be established by the Office  
21 of Management and Budget (OMB), Federal agencies  
22 shall submit to OMB and to the Committee on Appropria-  
23 tions of the House of Representatives and of the Senate  
24 internal control plans for funds provided by this Act.



1 (b) All programs and activities receiving funds under  
2 this Act shall be deemed to be "susceptible to significant  
3 improper payments" for purposes of the Improper Pay-  
4 ments Information Act of 2002 (31 U.S.C. 3321 note)  
5 (IPIA), notwithstanding section 2(a) of IPIA.

6 (c) In accordance with guidance to be issued by the  
7 Director of OMB, agencies shall identify those grants for  
8 which the funds provided by this Act should be expended  
9 by the grantees within the 24-month period following the  
10 agency's obligation of funds for the grant. In the case of  
11 such grants, the agency shall include a term in the grant  
12 that:

13 (1) requires the grantee to return to the agency  
14 any funds not expended within the 24-month period;  
15 and

16 (2) provides that the head of the agency may,  
17 after consultation with the Director of OMB, subse-  
18 quently issue a waiver of this requirement based on  
19 a determination by the head of the agency that ex-  
20 ceptional circumstances exist that justify an exten-  
21 sion of the period in which the funds must be ex-  
22 pended.

23 SEC. 1104. (a) In carrying out activities funded by  
24 this Act, Federal agencies, in partnership with States,  
25 local communities and tribes, shall inform plans for re-

1 sponse, recovery, and rebuilding to reduce vulnerabilities  
2 from and build long-term resiliency to future extreme  
3 weather events, sea level rise, and coastal flooding. In car-  
4 rying out activities funded by this Act that involve repair-  
5 ing, rebuilding, or restoring infrastructure and restoring  
6 land, project sponsors shall consider, where appropriate,  
7 the increased risks and vulnerabilities associated with fu-  
8 ture extreme weather events, sea level rise and coastal  
9 flooding.

10 (b) Funds made available in this Act shall be avail-  
11 able to develop, in partnership with State, local and tribal  
12 officials, regional projections and assessments of future  
13 risks and vulnerabilities to extreme weather events, sea  
14 level rise and coastal flooding that may be used for the  
15 planning referred to in subsection (a), and to encourage  
16 coordination and facilitate long-term community resil-  
17 iency.

18 SEC. 1105. Recipients of Federal funds dedicated to  
19 reconstruction efforts under this Act shall, to the greatest  
20 extent practicable, ensure that such reconstruction efforts  
21 maximize the utilization of technologies designed to miti-  
22 gate future power outages, continue delivery of vital serv-  
23 ices and maintain the flow of power to facilities critical  
24 to public health, safety and welfare. The Secretary of  
25 Housing and Urban Development as chair of the Hurri-

- 1 cane Sandy Rebuilding Task Force shall issue appropriate
- 2 guidelines to implement this requirement.
- 3       This Act may be cited as the “Disaster Relief Appro-
- 4 priations Act, 2013”.